

**EXHIBIT 10**

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA  
3 SAN JOSE DIVISION  
4

5 IN RE: HIGH-TECH EMPLOYEE )  
6 ANTITRUST LITIGATION )  
7 ) No. 11-CV-2509-LHK  
8 THIS DOCUMENT RELATES TO: )  
9 ALL ACTIONS. )  
10 \_\_\_\_\_ )  
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12 HIGHLY CONFIDENTIAL - FOR ATTORNEYS' EYES ONLY  
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14 VIDEO DEPOSITION OF ALAN EUSTACE  
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16 FEBRUARY 27, 2013  
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18 Reported by: Mary Ann Scanlan-Stone, CSR No. 8875,  
19 RPR, CCRR, CLR  
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13:34:48 1 with that company?

13:34:50 2 MR. RUBIN: Objection. Vague.

13:34:55 3 THE WITNESS: Yeah. I was in engineering. I  
13:34:57 4 do not know of a specific relationship with Genentech in  
13:35:00 5 engineering, although I don't know everything that was  
13:35:03 6 going on in the engineering organization, but I don't  
13:35:05 7 know of any specific things with Genentech.

13:35:09 8 MS. DERMODY: Okay.

13:35:09 9 Q. And that, I'm talking about 2005. Since 2005,  
13:35:11 10 are you aware of any business relationship, shared  
13:35:17 11 business relationship with Genentech and Google?

13:35:20 12 MR. RUBIN: Same objection. Vague.

13:35:30 13 THE WITNESS: I do not know. There may have  
13:35:31 14 been a relationship. We do a lot of work with machine  
13:35:36 15 learning and it's possible that there might have been  
13:35:39 16 some relationship in the drug discovery area and some  
13:35:42 17 discussions in machine learning, large scale data  
13:35:46 18 processing, large computational infrastructure with  
13:35:49 19 Genentech, but I was not a part of that.

13:35:53 20 There's a vague recollection that we were  
13:35:55 21 certainly interested in that area at one point but I do  
13:35:58 22 not know the timetable and I don't know whether we had  
13:36:01 23 specific discussions with them.

13:36:03 24 MS. DERMODY: Okay. Same question for Intel.

13:36:07 25 Q. So are you aware of any shared business

13:36:09 1 relationship with Intel since 2005?

13:36:12 2 A. Absolutely.

13:36:13 3 Q. Okay.

13:36:16 4 Describe for me in the 2005 era what shared  
13:36:19 5 business relationship you had?

13:36:21 6 A. They were our largest supplier. We had -- we  
13:36:29 7 obviously bought an incredible amount of their products.  
13:36:32 8 We used it for lots of our systems, along with AMD as  
13:36:37 9 well. Every system, every chip that they built, we  
13:36:40 10 tested. We have a strong partnership in testing with  
13:36:43 11 them.

13:36:43 12 We would get parts before everybody else did.  
13:36:48 13 We would -- we interacted very carefully with their  
13:36:52 14 architects, some of which came from Digital, so we had a  
13:36:56 15 strong, long-lasting relationship with their  
13:36:58 16 architectural organization.

13:37:00 17 And so our senior people would go to Intel and  
13:37:04 18 actually tell them the kinds of things that we expected  
13:37:07 19 out of our chips, what are the issues with performance.

13:37:10 20 We shared performance benchmarks between the  
13:37:13 21 companies and what kinds of things that we needed them  
13:37:15 22 to run fast on and why. We looked at future  
13:37:20 23 architectures. I mean, we had a very long relationship  
13:37:24 24 with them.

13:37:25 25 Q. Do you know if these, we will call them

Deposition of Alan Eustace

15:39:20 1 I, Mary Ann Scanlan-Stone, Certified Shorthand  
15:39:20 2 Reporter licensed in the State of California, License  
15:39:20 3 No. 8875, hereby certify that the deponent was by me  
15:39:20 4 first duly sworn and the foregoing testimony was  
15:39:20 5 reported by me and was thereafter transcribed with  
15:39:20 6 computer-aided transcription; that the foregoing is a  
15:39:20 7 full, complete, and true record of said proceedings.

15:39:20 8 I further certify that I am not of counsel or  
15:39:20 9 attorney for either of any of the parties in the  
15:39:20 10 foregoing proceeding and caption named or in any way  
15:39:20 11 interested in the outcome of the cause in said caption.

15:39:20 12 The dismantling, unsealing, or unbinding of  
15:39:20 13 the original transcript will render the reporter's  
15:39:20 14 certificates null and void.

15:39:20 15 In witness whereof, I have hereunto set my  
15:39:20 16 hand this day: March 3, 2013.

15:39:20 17 \_\_\_\_\_ Reading and Signing was requested.

15:39:20 18 \_\_\_\_\_ Reading and Signing was waived.

15:39:20 19   X   Reading and signing was not requested.

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24 MARY ANN SCANLAN-STONE, RPR, CCRR, CSR 8875

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